

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MINOR STEVENS, et al,

Plaintiffs,

Civil Action No.1:12-cv-429

vs.

Magistrate Judge Bowman

GRACO CHILDREN'S PRODUCTS
INC., et al,

Defendants.

ORDER

This is a products liability action wherein the parties have consented to the exercise of jurisdiction by the Magistrate Judge pursuant to 28 U.S.C. § 636(c). (Doc. 8). On July 31, 2012, Defendants moved to dismiss Counts 8, 10, and 11 of Plaintiffs' complaint. (Doc. 5). In response to Defendants' motion for partial dismissal, Plaintiffs filed a motion for leave to amend the complaint withdrawing Counts 10 and 11 and amending Count 8 to include additional allegations. (Doc. 12). Defendants do not oppose Plaintiffs' motion to amend.¹ (Doc. 18).

In light of the foregoing, Defendants' motion to dismiss (Doc. 5) is **DENIED as MOOT** and Plaintiffs' motion for leave to amend (Doc. 12) is **GRANTED**. Plaintiffs' counsel is herein **DIRECTED to FILE** the amended complaint electronically with the Court.

IT IS SO ORDERED.

s/ Stephanie K. Bowman
Stephanie K. Bowman
United States Magistrate Judge

¹ With respect to Plaintiffs' amended Count 8, the undersigned recognizes that Defendants reserve the right to file a motion for summary judgment on that issue and any other issue after Plaintiffs' filing of the Amended Complaint.